

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Children and Families Committee**
held on Monday, 18th September, 2023 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor C Bulman (Chair)
Councillor L Anderson (Vice-Chair)

Councillors M Beanland, S Bennett-Wake, G Hayes, R Kain, B Posnett,
J Saunders, G Smith, A Critchley, L Wardlaw, J Bird and J Place

OFFICERS IN ATTENDANCE

Deborah Woodcock, Executive Director of Children's Services
Claire Williamson, Director of Strong Start, Family Help and Integration
Kerry Birtles, Director of Children's Social Care
Janet Witkowski, Head of Legal Services
Alex Thompson, Director of Finance and Customer Services & S151 Officer
Steve Reading, Principal Accountant
Josie Lloyd, Democratic Services Officer
Laura Rogerson, Head of Service - Inclusion
Gill Betton, Head of Service – Children's Developments and Partnerships
Richard Hibbert, Head of Strategic Transport and Parking
Brian Cotter, Education Consultant
Val Simons, Pupil Place Planning Officer
Simon Hodgkiss, Capital Development Officer
Shelley Brough, Director of Commissioning

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Rachel Bailey, Cllr Dawn Clark, Cllr Emma Gilman and Cllr Laura Smith. Cllr Liz Wardlaw, Cllr Anthony Critchley and Cllr John Place attended as substitutes, and Cllr John Bird arrived as a substitute after item 9.

22 DECLARATIONS OF INTEREST

Cllr Bennett-Wake declared that she was a teaching assistant at a local school which was referenced in reports and had had dealings with Visyon, Just Drop In and Utopia in Macclesfield.

Cllr Place declared that he was a governor of St Gregory's Catholic Primary School and was a member of the Together Trust.

Cllr G Smith declared that he was a teacher at Malbank School.

Cllr Hayes declared that a school of which he was the Chair of the governing body was named in agenda item 14 (Children and Families Capital Programme) and that he had recently provided support to the governing body at St Gregory's Catholic Primary School.

Cllr Wardlaw declared in relation to item 17 (Commissioning Children and Young Peoples Emotional Health and Wellbeing Service) that she undertook occasional work as a visiting nurse.

23 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 10 July 2023 be agreed as a correct record.

24 PUBLIC SPEAKING/OPEN SESSION

There were no public speakers.

25 DEDICATED SCHOOLS GRANT MANAGEMENT PLAN 2023/24 TO 2027/28

The committee considered the report which sought approval of the updated Dedicated Schools Grant (DSG) Management Plan for the period 2023/24 to 2027/28.

A number of concerns were raised during the debate which included:

- Concerns around the size of the deficit
- Whether it was appropriate for this committee to make the decision rather than Full Council as the financial impact would have a wider effect
- The need for more SEND provision in mainstream schools
- This was a national issue and there was a lack of an alternative

Members asked officers for assurance on their confidence that the plan would be effective and for the Section 151 Officer to provide assurance that it was a sound recommendation.

The Director of Strong Start, Family Help and Integration advised that officers were confident in the plans put before committee. The right staff were in place and were committed to being part of the Safety Valve programme and learning from others. Learning had been taken from the Delivering Better Value Programme.

The Section 151 Officer advised that the committee had responsibility for the oversight of budgets associated with Children and Families which included the Dedicated Schools Grant. The management plan included significant activity to mitigate the expenditure and the Safety Valve programme had been entered into by other local authorities before. The

Section 151 Officer was satisfied that this was compliant with the statutory duty and accounting rules put in place by central government and, while members' concerns and the importance of the topic were understood, it was considered appropriate for the committee to make the decision.

Paragraph 50 of the report referred to 17 local authorities in the North West which were holding combined deficit balances totalling £177m and it was queried whether Cheshire East held the highest deficit. Officers undertook to check this detail and confirm in a written response.

An amendment was moved and seconded which sought to remove recommendation 1 in the report and instead refer the decision to Full Council. A recorded vote was requested with the following results:

FOR

Councillors M Beanland, G Hayes, R Kain, B Posnett, J Saunders, L Wardlaw

AGAINST

Councillors L Anderson, S Bennett-Wake, C Bulman, A Critchley, G Smith, J Place

The Chair used a casting vote against and the amendment was declared lost.

The recommendations as set out in the report were proposed and seconded and a recorded vote was requested with the following results:

FOR

Councillors L Anderson, S Bennett-Wake, C Bulman, A Critchley, G Smith, J Place

AGAINST

Councillors M Beanland, G Hayes, R Kain, B Posnett, J Saunders, L Wardlaw

The Chair used a casting vote for and the recommendations were carried.

RESOLVED (by majority)

That the Children and Families Committee:

1. Approve the current DSG Management Plan for 2023/24 to 2027/28, which forecasts a deficit reserve position of £536m unmitigated and £307m mitigated by the end of March 2028. There is a full breakdown of the forecast for income and expenditure in appendix 1 paragraph 22. This is a requirement of DfE.

2. Note the need to pursue additional capital funding and review the capital programme to identify additional projects which could be included in DSG management plan as determined by the SEN sufficiency statement.

The council has updated the SEN sufficiency statement for 2023/24 to 2025/26. This will set out the additional provision needed over the next three years to further mitigate the overspend and require significant capital investment to deliver).

3. To delegate to the Executive Director of Children's Services authority to undertake any consultations deemed necessary to facilitate implementation.
4. To note, the Chief Executive, Executive Director of Children's Services and the Section 151 Officer will continue to raise the financial issues with the DfE and the Department for Levelling Up, Housing and Communities (DLUHC).
5. To note, the acceptance of invitation to join the Safety Valve intervention programme.
6. To approve an onward journey for a revised version of the DSG management plan to include Safety Valve to be presented to Council on 11 December 2023.

26 **REFRESHED SEND STRATEGY 2021-2025**

The committee received the report which set out the details of the refreshed Special Educational Needs and Disabilities (SEND) partnership strategy and priority areas for the next 12 months aligned to the outcomes of the Delivering Better Value (DBV) programme.

A query was raised as to the current average waiting times for the ADHD service and it was agreed that this would be confirmed in a written response following the meeting.

RESOLVED (unanimously):

That the Children and Families Committee:

1. Approve the refreshed Special Educational Needs and Disabilities (SEND) strategy 2021-2025 attached at Appendix 1
2. Agree that the Children and Families Committee receive an annual report on the progress being made against the vision, values and actions contained in the SEND Strategy
3. Approve for a new strategy to be presented back to committee in September 2025

27 SEND SUFFICIENCY STATEMENT FOR CHILDREN AND YOUNG PEOPLE WITH AN EDUCATION, HEALTH AND CARE PLAN

The committee considered the report which provided an overview of the Special Education Needs and Disabilities (SEND) sufficiency statement which had been updated to reflect the growing demand for specialist SEND provisions and identified the shortfalls across the borough.

It was suggested in regard to the identification of sites that the former Vernon Infant School in Poynton, which had been vacant for over a decade, be looked into.

Page 142 of the agenda referred to percentages of pupils placed outside of Cheshire East and it was queried what this equated to in numbers. This would be confirmed in a written response following the meeting.

RESOLVED:

That the Children and Families Committee:

1. Review the information as presented within the updated SEND Sufficiency Statement 2023-2024.
2. Recognise the work already undertaken, and/or planned which has resulted in the increase of places within our maintained schools, resource provision, SEND units and special schools to support our children and young people with special educational needs.
3. Recognise the challenges ahead in addressing our reliance on placements within non-maintained special schools, independent special schools and specialist post 16 institutes.
4. Recognise the support that will be required from the wider council with regards to the identification of potential sites for the provision of new SEND schools and additional SEND places.

28 ALLOCATION OF ADDITIONAL HIGH NEEDS FUNDING AND ADDITIONAL EARLY YEARS FUNDING FOR 2023/24

The committee considered the report which provided an update on the two additional funding streams announced for 2023/24.

A query was raised regarding the table at paragraph 30 of the report which referred to the proposed £1.1m investment in SEN support services or offset against in year pressures. Clarity was sought as to where the £1.1m would be spent and why it would not be spent on frontline providers to enhance Cheshire East's competitive position in the market. Officers undertook to provide this detail in a written response following the meeting.

RESOLVED:

Unanimously:

That the Children and Families Committee

1. Approve 3.4% increase on both place and top up funding, representing the allocation £0.4m to Cheshire East maintained special schools, special academies and special free schools.
2. Approve 3.4% increase on both place and top up funding, representing the allocation £0.05m to Cheshire East alternative provision schools.
3. Approve 3.4% increase of top up funding, representing the allocation of £0.6m for those independent schools and non-maintained special schools that have requested a fee increase in line with contractual arrangements.

By majority:

That the Children and Families Committee

4. Approve the proposal to use the remainder of the additional funding to support SEN support and to offset against in year pressures.
5. Approve the allocation of the early years supplement using a flat rate for all providers subject to approval of the supplementary revenue estimate at council on 18 October 2023.

29 PUPIL PLACE PLANNING SUFFICIENCY REPORT (SCAP RETURN)

The committee received the report which provided detail on the outcome of the 2023 primary and secondary mainstream forecasts which was submitted to the Education and Skills Funding Agency (ESFA) and would inform the amount of Basic Need grant awarded to the authority for the 2026/2027 academic year.

A written response was requested to detail how shortfalls are being mitigated in year for areas where expansion projects are underway but not yet completed.

RESOLVED:

That the Children and Families Committee:

1. Note that the SCAP return was completed and submitted prior to the deadline of 28 July.

The committee adjourned for a short break.

Cllr Bird arrived as a substitute during the break.

30 ANNUAL YOUTH JUSTICE PLAN

The committee received the report which provided detail on the content of the 2023-24 Youth Justice Plan.

RESOLVED (unanimously):

That the Children and Families Committee:

1. Be sighted on the Annual Plan of the Young Justice Service.
2. Note paragraph 17 of this report and the requirement for the report to be considered and adopted at full council.
3. Delegate authority to Executive Director of children's services to approve the report at the pan Cheshire youth justice board.

31 CARED FOR CHILDREN AND CARE LEAVERS COMMITTEE ANNUAL REPORT

The committee received the Cared for Children and Care Leavers Committee Annual Report for 2022-23.

RESOLVED:

That the Children and Families Committee:

1. Endorse the Cared for Children and Care Leaver Committee Annual Report 2022-23 as set out at Appendix 1.

32 CHILDREN AND FAMILIES SCORECARD Q1

The committee received the report which provided an overview of performance against the core indicator set within the three directorate areas of Children's Services for quarter 1 of 2023-24.

RESOLVED:

That the report be noted.

33 TRANSFORMATION OF TRAVEL SUPPORT FOR CHILDREN AND YOUNG PEOPLE AND REVIEW OF AVAILABLE WALKING ROUTES

The committee received the report which provided an overview of progress to date against the plans to transform travel support for children and young people and sought approval on the proposed redesignation of two routes to two schools making them 'available walking routes' from their current designation as 'unavailable walking routes'.

RESOLVED (unanimously):

That the Children and Families Committee:

1. Scrutinise the progress to date in relation to the transformation of travel support for children and young people.
2. Approve the redesignation of the Willaston to Brine Leas Academy and Prestbury to Fallibroome Academy routes as 'Available Walking Routes'.
3. Approve the pupil eligibility changes that will be necessary as a result of the redesignation in line with the Councils 'Compulsory School Age Education Travel Policy' to remove school transport from 75 pupils, following a 12 week notice period.
4. Approve the review of other sites across the borough which are currently designated as 'unavailable walking routes' for any financially viable improvement schemes which could make those routes 'available walking routes' to be brought back to committee for future approval.
5. Approve the proposal to go out to consultation on the current school transport policies, including the review of charging for post-16, spare seats and the Poynton High School scheme and for the results of the consultation to be brought back to committee.

34 CHILDREN AND FAMILIES CAPITAL PROGRAMME – IMPLEMENTATION OF CAPITAL SCHEMES (INCLUDING NEW AND NAMED SCHEMES AND SCHOOL CONDITION PROGRAMME)

The committee considered the report which provided an update on the progress of the school capital programme for 2023/24.

A query was raised regarding paragraph 3 of the report, which referred to the allocation of uncommitted funds to projects for the purpose of supporting additional pupil places and SEN schemes, and whether there had been any analysis of what that amount might be. The Director of Strong Start, Family Help and Integration assured the committee that this was being closely monitored and further detail could be provided in a written response.

RESOLVED (by majority):

That the Children and Families Committee:

1. Agree the allocation of the Children and Families Capital funding as approved in the budget by full council on 22 February 2023 to the schools and projects as set out in Appendix 1.

2. Approve the new, named and amended schemes as detailed in Appendix 2.

3. Delegate authority to the Executive Director of Childrens Services to determine the school sites and works to be instructed from the block funding allocations set out in Appendix 2 and take all steps to deliver those works.

4. Approve the school condition programme of schemes as detailed in Appendix 3.

5. Delegate authority to the Executive Director of Childrens Services to determine the school sites and works to be instructed from the block funding allocations set out in Appendix 3 and take all steps to deliver those works.

6. Delegate authority to the Executive Director of Childrens Services to approve uplifts to project costs of individual schemes approved in the Capital Programme to a maximum of 20% of the approved capital budget or £500,000 whichever is the lesser sum.

7. Delegate authority to the Executive Director of Childrens Services to allocate uncommitted funds to enable the progression of feasibility studies, design development and project delivery, where projects will be for the purpose of supporting additional pupil places and SEN schemes.

8. Delegate to the Executive Director of Childrens Services the authority to approve Virements and where necessary enter into grant agreements with Academies and Diocesan bodies to facilitate the delivery of the projects identified in the Children and Families Capital Programme.

9. To note that the Executive Director of Children's Services will provide a six-monthly update to committee on the implementation of the Children and Families Capital Programme and the exercise of the delegations set out in this report.

35 SPECIAL EDUCATIONAL NEEDS INCLUSION FUND POLICY (SENIF)

The committee considered the report which sought approval to consult on revising the mechanism of support provided to enable children with special educational needs to access their early education entitlements.

It was noted that the recommendation in the report referred to a consultation start date of 18 September. As this was the date of the committee meeting and therefore the consultation would not commence on this date, it was suggested that the date be removed from the recommendations.

RESOLVED (unanimously):

That the Children and Families Committee:

1. Approve the consultation on the policy set out in appendix 1 and to report back to Committee with the outcome from the consultation process for a final decision.

36 SCHOOL CAUSING CONCERN - ST GREGORY'S

Cllr Place left the room for the duration of this item, having declared an interest as a governor of the school.

The committee considered the report which sought approval to commence the formal statutory processes regarding the future of St Gregory's Catholic Primary School in Bollington.

RESOLVED (by majority):

That the Children and Families Committee:

1. Consider the evidence of information as presented within the report and appendices.
2. Approve the commencement of the structured process as outlined in the statutory guidance 'Opening, closing, and making changes to schools' regarding the future viability of St Gregory's Catholic primary school.
3. Consider the responses to the pre-publication consultation at a future committee and to formally consider the next steps as outlined in the statutory guidance.

37 COMMISSIONING CHILDREN AND YOUNG PEOPLE'S EMOTIONAL HEALTH AND WELLBEING SERVICE

The committee received the report on the recommission of the Emotionally Healthy Children and Young People Service.

A query was raised regarding detail on impact and outcomes. The Director of Commissioning advised that the paper described the progression made against the objectives within the service specification and that further detail could be distributed following the meeting.

It was noted that the report would also be considered by the Adults and Health Committee on 25 September 2023.

RESOLVED (by majority):

That the Children and Families Committee:

1. Approve the recommission of the EHCYP programme with a focus on early help and prevention for children and young people, to ultimately reduce demand on statutory social care and mental health services.
2. Delegate authority to the Director of Commissioning to award the contract(s).

38 WORK PROGRAMME

The committee considered the work programme.

It was noted that the November agenda was currently heavy but an additional meeting was scheduled for December and therefore officers would give consideration to any reports that could be deferred to the December meeting.

RESOLVED:

That the work programme be noted.

39 MINUTES OF SUB-COMMITTEES

The committee received the minutes of the Cared for Children and Care Leavers Committee meeting of 20 June 2023.

RESOLVED:

That the minutes be noted.

The meeting commenced at 10:00 and concluded at 14:27

Councillor C Bulman (Chair)